

Judge John C. Coughenour

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

SCOTT McCOMB,

Defendants.

NO. CR06-0351-JCC

ORDER OF CONTINUANCE

Before this Court is a Stipulated Motion to Extend the Pretrial Motions Deadline and to Continue the Trial Date;

The Court finds, after a consideration of all relevant information and the circumstances of this case, that the ends of justice would best be served by the granting of this request for continuance. The ends of justice outweigh the best interests of the public and the defendant in having the matter brought to trial sooner.

The Court finds that the parties request to extend the deadline for pretrial motions should be GRANTED. The pretrial motions deadline scheduled for November 20, 2006, is VACATED. The pretrial motions deadline is continued to December 22, 2006.

For all the reasons presented in the files and records herein, the Court finds that the parties stipulated request to continue the trial should be GRANTED. The trial date currently scheduled for December 11, 2006, is VACATED. Trial shall be rescheduled to January 22, 2007.

1 Any and all period of delay resulting from the granting of this continuance, from the  
2 date of the filing of the parties stipulated request on November 20, 2006 until the date of the  
3 rescheduled trial, shall be excludable time pursuant to Title 18, United States Code, Section  
4 3161(h)(1)(F) and (h)(8)(A), and the Court makes the following findings:

5 a. That the failure to grant such a continuance in this case would be likely  
6 to result in a miscarriage of justice;

7 b. That it is in the defendant's best interest to be aware of all of the  
8 potential charges against him, and have the opportunity to negotiate settlements on all of  
9 those charges;

10 c. That the failure to grant such a continuance in this case would deny  
11 counsel for the defendant and the government the reasonable time necessary for effective  
12 preparation, taking into account the exercise of due diligence, because of the nature of the  
13 prosecution, the existence of a significant discovery, and novel questions of fact and law;

14 d. That because of ongoing negotiations and other discovery matters it  
15 may be unreasonable to expect adequate preparation for pretrial proceedings or for the trial  
16 itself within the time limits established by Title 18, United States Code, Section 3161.

17 IT IS SO ORDERED

18 DATED this 29th day of November, 2006.

19   
20 John C. Coughenour  
21 United States District Judge

22 Presented by:

23 JOHN McKAY  
24 United States Attorney

25 By:

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NORMAN M. BARBOSA  
28 Special Assistant United States Attorney